

# SENATE . . . . . No. 913

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Mr. Brewer**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to an unloaded rifle or shotgun.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mr. Brewer	Worcester, Hampden, Hampshire and Franklin
Todd M. Smola	1st Hampden
Richard J. Ross	9th Norfolk
Anne M. Gobi	5th Worcester
Donald F. Humason, Jr.	4th Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01371 OF 2007-2008.]

## **The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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### **AN ACT RELATIVE TO AN UNLOADED RIFLE OR SHOTGUN.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 12D of Chapter 269 of the Massachusetts General Laws shall be amended  
2 by deleting the following language:

3 (b) Except as exempted or provided by law, no person shall carry on his person on any public  
4 way an unloaded rifle or shotgun, unless such rifle or shotgun is enclosed in a case.

5 Whoever violates the provisions of this subsection shall be punished by a fine of not less than  
6 \$100 nor more than \$1,000, and may be arrested without a warrant; provided, however, that if  
7 such unloaded rifle or shotgun is a large capacity weapon and is carried simultaneously with a  
8 fully or partially loaded large capacity feeding device, such person shall be punished by a fine of  
9 not less than \$1,000 nor more than \$10,000 or by imprisonment for not less than one year nor  
10 more than ten years, or by both such fine and imprisonment, and may be arrested without a  
11 warrant.

12 This subsection shall not apply to drills, parades, military reenactments or other commemorative  
13 ceremonies, color guards or memorial service firing squads, so-called, as permitted by law.